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### Practice Areas

Business Litigation  
Environmental and Energy

## Ask The Expert - Mass High Tech

**A cybersquatter registered a domain name that is similar to my business' trademark and demands money for its transfer. Is that legal?**

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Generally, no. The Anticybersquatting Consumer Protection Act of 1999 ("ACPA") makes it illegal to register, traffic in or use a domain name that is identical or confusingly similar to a distinctive or famous trademark. Liability under the ACPA may only be imposed against those that act with a bad faith intent to profit from the mark. In such cases, the court may require a cybersquatter to cancel or transfer the domain registration, or order him to pay money and attorneys' fees to the trademark holder.

For businesses that are unaware of the ACPA, full enjoyment of their trademark often involves paying cybersquatters thousands of dollars. Therefore, it is imperative that trademark holders understand their rights and take action to the extent allowed by state and federal law.

Additional information for this attorney  
may be found on our website.

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